

THE WEATHER

LOCAL FORECAST
RAIN and Cooler To-Night
Wednesday Showers

The Evening News

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all the news that's fit to print

VOL. I

ROSEBURG, DOUGLAS COUNTY, OREGON, TUESDAY, NOVEMBER 2, 1909.

NO. 2

ARE HOTLY CONTESTED

Election In New York and San Francisco Red Hot

NO RETURNS AS YET

The Gompers Decision Used In San Francisco by Candidates—John-Nearly Sure of Election in Cleveland.

(Special to The Evening News)

SAN FRANCISCO, Nov. 2.—A large vote is being polled in this city today. The respective managers of Heney and Fickert report that the early voting favors their respective candidates, when they assert are bound to win.

The decision of the Supreme Court of the District of Columbia in the Gompers and Morrison cases is being generally made use of by the various candidates to influence the Union and Labor voters.

NEW YORK, Nov. 2.—With all candidates claiming victory the election is progressing rapidly. The indications point to an unprecedented vote, but it is impossible to give a forecast of the result.

Indianapolis, Nov. 2.—The sheriff at Gary has placed the entire police force under arrest, acting under the governor's orders.

CLEVELAND, Nov. 2.—An unusually heavy vote is being polled in Cleveland today. Johnson is making a determined fight for fifth election for mayor.

KILLED WHILE PLAYING BUFFALO BILL

(Special to The Evening News)

SEATTLE, Nov. 2.—While playing Buffalo Bill late yesterday, Freddie Bertman, aged five years, was killed with a Winchester rifle by Sammie Stewart.

Stewart, the father of the boy who did the killing went driving and left his son at home, who invited Freddie Bestman to come over and play with him.

CHARLES NEATE WAS WELL KNOWN HERE

Charles Neat, the Southern Pacific brakeman, who was either killed or burned to death, when tunnel No. 1, in the locality of Coram, Cal., caved in, yesterday, is a brother-in-law of Robert Farnsworth of this city.

PRESIDENT TAFT NORTHWARD BOUND

(Special to The Evening News)

DURANT, Miss., Nov. 2.—President Taft left Columbus early today. He made a ten minute stop at Kennelwood. At 11 o'clock President Taft reached West Point and after a brief speech continued northward.

SCOTTSDURG NEWS.

Mrs. W. E. Thompson and M. D. Thompson were in town recently to consult Dr. Fields.

ENTHUSIASTIC AT BAY.

Letters Received From Coquille by J. W. Tompkins All is O. K.

LOCAL NEWS.

Have you read special couch we have on sale? It will miss it if you don't.

Dr. and Mrs. Smit arrived home this morning after a two month's trip through the States.

Frak Goodman and Neal McBeth were arrested, charged with disorderly conduct.

The Ladies Auxilliary of the Roseburg Commercial Club in regular monthly sessions.

James S. Eckert and Alden were arraigned before City Recorder Orcutt this afternoon.

Upon entering a plea guilty Sackitt was fined in the sum of \$15.

Mrs. L. A. Marsters' office at her home on Pine street.

Miss Grace Lyons has a hero attack of typhoid fever.

V. G. Grubbe who has been at this place for some time has returned to his home at Long Prairie.

Rev. Rieckner who has charge of this circuit for the coming conference year, will fulfill his appointments in his work here at this and other places on his tour.

W. G. Grubbe who was in recently enroute for Drain, has returned home accompanied by his wife.

We note with pleasure the present advancement in The Oregon Valley News in the issuing of daily.

We hear that Mrs. Ida Benson, whose residence is at this place, but is at present teaching at Stage Grove, has forty pupils and a full class.

Maurice Lyons who has been out of health for some months, is now improved.

THE NOTED LABOR CASE

Gompers, Mitchell and Morrison's Sentences Affirmed

GOES TO HIGHER COURT

The District Supreme Judges are Not Unanimous in Decision and Judge Shevard Dissents to Opinion.

(Special to The Evening News)

WASHINGTON, Nov. 2.—Court of Appeals of the District of Columbia has affirmed the sentences given Samuel Gompers, president, and Frank Morrison, secretary of the American Federation of Labor, and John Mitchell, former president of the United Mine Workers, who were convicted of contempt of court on charges of violating an injunction prohibiting the publishing of the name of the Back Stove and Range Company as "unfair."

The sentence was imposed by Justice Wright, of the Supreme Court, of the District of Columbia, and an appeal was taken against Judge Wright's decision which sentenced Samuel Gompers to imprisonment for a term of one year, John Mitchell to nine and Frank Morrison to six months confinement.

An appeal against this last decision will be taken at once to the Supreme Court of the United States. The opinion in question was written by Associate Judge Van Orsdell, and concurred in by Justice Robb, Justice Shevard dissented.

The labor circles and the Federation of Trade expected no other decision than was rendered, but believe they will win a complete victory in the Supreme Court of the United States on the ground that self-preservation is the first law of Nature, and that all men have the right of free speech, so long as it is exercised only for the public good.

A DISTINGUISHED GUEST

Dr. Harry Lane, of Portland, Visits the City Council

MAKES A SHORT TALK

Says That He Never Attended a More Orderly Session of a Council—Is Enroute to Portland.

Dr. Harry Lane, ex-Mayor of Portland, was the distinguished guest at the regular semi-monthly meeting of the city council last evening.

Having but few acquaintances in this city, the genial doctor succeeded in entering the chamber unnoticed, occupying a seat in the rear. His wearing apparel was such as to avoid all suspicion, consisting of a shabby pair of trousers, a blue serge shirt and a canvas coat, such as he has been wearing during his tour of Southern Oregon.

Nearly an hour had elapsed, when Councilman Micell spotted the ex-official, and to show the courtesy of the council, advanced a motion granting the distinguished guest a seat beside his son-in-law, Mayor Haynes.

No sooner had Dr. Lane heard his name mentioned when he left the room, only to be apprehended later by Marshal Huffman who was sent on his trail.

Taking a position near the Mayor's chair Mr. Lane begged to be excused from the meeting, stating that it was the most quiet and orderly session of a council he had ever attended. In fact, he said that he was "invited to dinner party" and would be obliged to leave. This remark brought forth prolonged laughter, the several councilmen entertaining his humor as a huge joke.

After thanking the councilmen for the courtesy displayed, Dr. Lane retired.

Portland's ex-Mayor is enroute home by private conveyance, having spent the past three months at points in Southern and Eastern Oregon. He is accompanied by his wife and daughter, Harriet.

\$100 IN PRIZES.

The W. C. Harding Land Company will give a cash prize of \$25 for the best box of Spitzenberg apples raised in Douglas county; \$15 for the second best and \$10 for the third best box.

Also \$25 for the best box of Yellow Newtown Pippin apples raised in the county; \$15 for the second best box, and \$10 for the third best.

Competent judges will make the awards. All apples entered in the contest should bear the owner's name. The prize boxes will be placed on display in an eastern city. Bring them to our Roseburg office. W. C. HARDING, Pres.

HAYNES IN THE CHAIR

Presides at Last Evening's Session of Council

COMMITTEES APPOINTED

Attorney George Neuner Will Advise The City in Legal Matters—Marshal Huffman and Policeman Palm Retained.

(Special to The Evening News)

Considerable surprise was occasioned last prior to the convening of the city council last evening, when it became known that the term of the so-called old councilmen had expired at 12 o'clock Sunday night. In fact, several of those effected by the unexpected greeting were in their seats, and refused to retire until such time as they had examined the charter which provides that the change shall become effective at midnight, October 30.

Mayor Hoover Retires.

Upon calling the session to order Mayor Hoover explained that the term of the retiring councilmen became effective the previous night, and accordingly that any business they might transact would prove illegal if questioned. He then spoke of the eight years he had served as Roseburg's chief executive, stating that he had at all times endeavored to give the city a clean and impartial administration.

Without further ceremony Mayor Hoover retired, leaving the affairs of the city in the hands of Mayor Fred Haynes.

Talks Briefly.

In assuming the chief executive ship of Roseburg, Mayor Haynes spoke briefly, simply lauding the accomplishments of his predecessor. "I believe," said Mayor Haynes, "that the time has come when Roseburg should take a pride in her appearance, therefore I would recommend that something be done toward improving the appearance of the streets."

The Mayor's message.

The following message previously prepared by the incoming Mayor was then read by City Recorder Orcutt, to the Honorable Common Council.

Gentlemen: I have the honor to make the following suggestions. The affairs of the city should be managed in such a way that the city should receive the equivalent of every dollar expended. The people want improvements and wish the city to progress, and all they demand is that we do the best we can to obtain the best results. It will be necessary that we devote some of our time each day to the interest of Roseburg.

It seems to be the practice in other cities to make estimates of the expenditures necessary to run the different departments for the ensuing year. I would suggest that the different committees submit a report of the amount needed for their departments.

The city must be clean—streets, alleys, walks and other such places over which the city has jurisdiction. The problem of a dumping ground should be settled at once. Delays only mean added expense as the price of real estate is advancing.

Maps or blue prints of the sewer systems should be procured and a suitable place in the city hall made for the same, so they will not get lost or stolen.

All residences or other buildings within the prescribed limit of a sewer where sewerage now runs on the ground or into a cesspool should be compelled to attach to the sewer. The health of the people demand it.

Council Organized.

The Mayor then announced that it was customary to organize the council prior to the consideration of business, hence his announcement of the following appointments:

City Attorney, George Neuner. City Marshal, Joseph Huffman. Policeman, Carl Palm. City Surveyor, Charles Roberts. Electric Light Inspector, John R. Lee.

Fire Commissioners, Joseph Sykes and Grafton Worthington. Committees Appointed.

Following are the several committees appointed to serve during the ensuing year: Ways and Means—Sykes, Baker and Micell.

Current expenses and accounts—Josephson, Baker and Bellows. Fire and Water—McClallen, Sykes and Jones.

License Committee—Micell, Mullen and McClallen. Electric Lights—Mullen, Clements and Patrick.

Judiciary—Patrick, Bellows and Bonds.

Requisitions—Bellows, Josephson and Strong.

Josephson Elected President. Upon motion of C. B. Patrick, seconded by Councilman Micell, S. M. Josephson was elected as President of the council for the ensuing year.

Owing to the fact that he was the only person placed in nomination the recorder was instructed to cast the unanimous ballot of the council.

To Purchase Sprinkler. The initial matter of importance to come before the council was that of purchasing a street sprinkler, such action being advocated by Councilman Josephson.

In explaining his views regarding the purchase Mr. Josephson said that the time was at hand when the city would be obliged to invest in a sprinkler, inferring by his remarks that the streets were in dire need of attention. Councilman Mullen coincided with Josephson, and went one step further, by urging the purchase of a dump cart. Councilman Micell also appeared inclined to invest, stating that he believed it wise for the city to purchase a team. A prolonged discussion then ensued, and upon final consideration it was decided to drop the purchase of the team and cart and simply appoint a committee to investigate the purchase of a sprinkler.

Mayor Haynes appointed Councilmen Micell, Josephson and Strong as members of this special committee. They will report their findings at the special session of the council which occurs tonight.

Establish Street Department.

Concurrent with the discussion relative to purchasing street cleaning implements it was decided to establish a street cleaning department, that the work of cleaning the paved streets may be simplified. It was also suggested that a committee be appointed to investigate the proposition of erecting an annex to the city hall, such to be utilized in sheltering the street sweeper and other implements used under the supervision of the street department.

Pavement Accepted.

The city engineer filed a report embodying the final estimates of the paving work as follows: Main street, \$7,531.40; Cass street, 3,447.46; Washington street, 963.79; Oak street, 963.79.

Upon motion of Councilman Micell the report was accepted and the recorder ordered to draw a warrant for the respective amounts.

The paving on Sheridan, Douglas and Jackson streets was accepted at a recent meeting of the council. With the allowances last evening the Warren Construction Company have been paid in full, completing their contract with the city.

A Prolonged Discussion.

The weight of the evening's discussion prevailed upon the question of whether or not F. C. Frear, until recently employed under the supervision of the city engineer, should be allowed the sum of \$26.87, alleged to be due as wages. The bill came up at a previous session of the council, but owing to the fact that he had made an error while working in North Roseburg, the result of which cost the city several dollars, it was withheld awaiting investigation at the hands of a special committee.

Last evening the committee failed to file a report relative to the claim, and Frear demanded his pay, alleging that he had already waited two months with no assurance of when it would be paid. Councilmen Strong and Josephson argued that Frear's wages could not be held for the alleged error, but on the contrary they contended that City Engineer Hartong should be compelled to make good the claim. Hartong, who was present, kicked on paying the claim, alleging that the city was in fault.

"I could not spend all my time in North Roseburg at the time the error was made," said Mr. Hartong. "For the reason that my attention was demanded in the paved district. It would have taken me nearly a day to lay out the grades in question, and in my absence the city might have lost a great deal more, considering the fact that the paving company was accomplishing work at the approximate value of \$2,000 per day at that time." After a lengthy argument it was finally decided to refer the matter to a committee for investigation. Such committee will report their findings at a special meeting of the council to be held this evening.

Minor Matters.

City Engineer Hartong reported that he had finished his work for the city, and recommended that all blue prints and other valuable papers left by him be deposited in a suitable depository that they might be safe from fire or other loss.

A communication received by City Recorder Orcutt from the Page Investment Company was read in full. The writer alleged that the city was indebted to the Page Investment Company in the sum of \$15, claiming that Ringling Brothers had purchased a number of cedar poles on their recent visit to this city with the understanding that the city would pay for them. Councilmen Josephson and Micell objected to the bill, and after a brief argument succeeded in its defeat. The recorder was instructed to notify Mr. Page of the action taken.

A number of persons residing at the extreme north end of Washington street petitioned the council for additional illumination. The matter was referred to the committee on electric lights.

City Treasurer Hermann asked the

(Continued on page 2.)

TO THE HIGHER COURTS

Kendall Brothers Will Fight Action For Damages

KENDALL GOES EAST

Says That Wires Are Properly Maintained, and That Insulation is in First Class Condition—Alleges Negligence.

J. L. Kendall, one of the owners of the local light and water system, who has been spending the past ten days in the city inspecting the company's holdings in this locality, departed for his home at Pittsburg, Pennsylvania, this morning.

In speaking of the damage suit filed against his company by Mrs. Henry Easton of this city, Mr. Kendall said that as far as he could see the controversy is purely a matter of law, and therefore he had decided to carry the case before the Federal Court where it might be settled for all time, and thus avoid any possibility of an appeal.

Continuing Mr. Kendall said: "I believe that our wires are properly maintained, in fact, I am sure that the wire insulation is as good, if not superior, to that found in many sections of the West."

Another point raised by Mr. Kendall during his brief conversation was in regard to contributory negligence. He said: "I understand that Mr. Easton was warned by certain parties before mounting the pole upon which he met his death. Also that he was told to notify our men to turn off the current. That he failed to do so appears a certainty, therefore I cannot see how we can be held liable."

From the tenure of Mr. Kendall's remarks it appears that the case will be carried to the Federal Courts without unnecessary delay, and will not be aired in the local courts as anticipated.

CHARGED WITH BEATING MAN TO DEATH

(Special to The Evening News)

LEWISTON, Mont., Nov. 2.—Jas. Gass was arrested today charged with the death of Thomas Ring, aged 73 years, by beating him over the head with the butt of a rifle. The trouble is said to have occurred when "Rug shot Gass" dog for stealing meat. He claims that he only used his fists.

DEVOTED MOTHER DIES FOR CHILDREN

(Special to The Evening News)

PITTSBURG, Pa., Nov. 2.—Mrs. Wm. Marlow, wife of a coal miner, and four children were burned to death today in a fire which destroyed the family home near this city. The mother had succeeded in saving one child, and on returning to the rescue of the other four lost her life in the fire that burned her children.

CAPITAL NICARAGUA CAPTURED BY REBELS

(Special to The Evening News)

NEW ORLEANS, Nov. 2.—A dispatch from Bluefields, dated today says that Managua, the capital of Nicaragua, is in the hands of the provisional government, and that Soledad, the deposed President, is fleeing for his life. The report has not been confirmed.

TERRIFIC CYCLONE SWEEP SPANISH CITY

(Special to The Evening News)

MADRID, Spain, Nov. 2.—The entire province of Tarragona is being swept by a terrific cyclone. The damage being wrought is enormous and it is feared that the death rate is very heavy. Particulars are unobtainable, since all lines of communication are down or destroyed.

WATERWAYS CONVENTION ADJOURNS TODAY

(Special to The Evening News)

NEW ORLEANS, Nov. 2.—The waterways convention, which taken in all, has been a great success, will end its deliberations today and adjourn. Informal sessions were held this morning, and this afternoon the delegates will inspect the harbor.